

## **GUIDE TO THE 2020 REVISED EDITION OF ACTS**

### **Structure and content of the 2020 Revised Edition of Acts**

The 2020 Revised Edition is prepared and published by the Law Revision Commission under the authority of section 3 of the Revised Edition of the Laws Act 1983 (“RELA”), and consists of the following:

- (a) The constitutional documents, consisting of the Republic of Singapore Independence Act 1965, the Independence of Singapore Agreement 1965 and the Constitution of the Republic of Singapore;
- (b) Acts wholly or partly in force in Singapore, including the Imperial and English Acts applicable to Singapore by the Application of English Law Act 1993;
- (c) Private Acts and Ordinances.

The 2020 Revised Edition has the following aims:

- (a) to produce a verified consolidation of all in-force statutes as amended up to 1 December 2021;
- (b) to correct errors and ensure cross-references are up-to-date;
- (c) to ensure consistency in house style, spelling, format and expressions throughout all Acts;
- (d) to update language and use gender-neutral terminology, and improve clarity and readability by using plain English and shorter sentences;
- (e) to omit provisions that have become spent or have had effect; and
- (f) to provide readers with a more comprehensive, detailed and accurate legislative history, including a diagram if the history is more complex.

All legislative amendments to Acts in force up to and including 1 December 2021 have been incorporated in this Revised Edition. The date of operation of the 2020 Revised Edition is 31 December 2021.

The 2020 Revised Edition does not contain Supply Acts and Acts which have become obsolete or spent, in accordance with section 4(1) of RELA. The Law Revision Commissioners have also omitted under section 5(1) of RELA 6 Acts identified as being temporary in nature, likely to become spent or obsolete or which have been or will be recently amended. Although omitted, these Acts will remain in force under section 5(2) of RELA until they have been expressly repealed or have expired, become spent or have had effect.

### **Short titles of Acts**

In the 2020 Revised Edition, chapter numbers have been removed and the short title of each Act bears the year of its enactment. This allows users to distinguish between a repealed Act and a re-enacted Act with the same short title. It also carries information about the vintage of an Act. Where an Act in its current form is a consolidation of more than one Act in a previous revised edition, the year of consolidation is used instead of the year of enactment of the component Acts. There are 4 such Acts:

- (a) Fees Act 1920
- (b) Foreshores Act 1920
- (c) Innkeepers Act 1970
- (d) State Lands Act 1920.

Chapter numbers are no longer used, as they provide little information about an Act and have limited use except as index numbers or identifiers. Moreover, chapter numbers were changed with different revised editions and hence could not serve as permanent identifiers of an Act. The same chapter number of a repealed Act might be used for a new Act, which could cause confusion. Where the Acts were arranged in alphabetical order, it was not always possible to assign a chapter number in sequence when new Acts were enacted. Moreover, an Act had to be revised before it could be assigned a chapter number.

When the 2020 Revised Edition comes into force, it will generally be sufficient to cite the short title of a revised Act without its chapter number. Citing the chapter number (together with the year of the Revised Edition) will only be necessary when citing a repealed Act or a specific historical version of an Act.

### **Law revision changes**

Arising from the Plain Laws Understandable by Singaporeans (PLUS) initiative by the Attorney-General's Chambers (AGC) of Singapore, and public feedback to the PLUS project that started in 2013, the Law Revision Commissioners (LRC) have incorporated a number of changes into the 2020 Revised Edition of Acts with the aim of improving the readability of the Acts. These changes are authorised by the Revised Edition of the Laws Act 1983.

The 2020 revised edition seeks to improve the readability of legislation by applying current legislative drafting techniques wherever possible. These include textual changes, redrafting and the use of paragraphing.

Textual changes include minimising the use of the word “shall” as it has different meanings and using instead words such as “must” or “must not” to more clearly denote an obligation or prohibition, or “is” to denote a declaratory provision. Phrases such as “from time to time” or “in his discretion” were generally removed as these are implicit where power is conferred on a person. Doublets such as “null and void” were simplified to “void”. A more complete list of revision changes can be found on the AGC website at <https://www.agc.gov.sg>.

Gender-neutral language was used as far as possible. While the Interpretation Act provides that words importing the masculine include the female, the use of gender-neutral language is intended to evolve with the language norms of the day and to signify a more inclusive language in the statute book.

Some provisions with longer text have been subdivided into paragraphs, or even separate subsections, for easier reading and paragraphing made more streamlined wherever possible. These updates to existing legislation will complement AGC's plain English drafting techniques for new legislation.

Cross-references in an Act to other Acts have all been checked and any errors found have been corrected.

There were some exceptions to the revision treatment described above, for example —

- (a) Special Acts were largely preserved in their original form — these are the constitutional documents, Imperial Acts and English Acts, and private Acts and Ordinances;
- (b) Vintage Acts were given very light revision treatment — these are Acts enacted before 1970 which have not been substantially amended since their enactment. The Law Revision Commissioners decided to retain the language largely unchanged in these Acts to preserve a part of Singapore's history and heritage, as most of these Acts were enacted and applied to Singapore during the colonial era and before its independence. The 1970 Revised Edition was the first revised edition of all Acts post-independence.

Only stylistic changes, such as adherence to the style, spelling and formatting, updates to cross-references and corrections of errors have been made to these Acts.

### **Commencement dates**

The commencement date indicated under the long title of each Act follows the commencement date or dates of the original enactment (as published in the Act's commencement notification) regardless of whether provisions have been inserted, deleted or renumbered over the years. However, there are some exceptions:

- (a) English Acts — A distinction is drawn between commercial Acts formerly applicable by way of section 5 of the Civil Law Act 1909, which was repealed by the Application of English Law Act 1993, and Imperial Acts:
  - (i) Following the practice of the previous LRC, the date indicated in square brackets for each of the commercial Acts is not the date of actual commencement of the Act but 12 November 1993. This is the date on which that Act was declared by the Application of English Law Act 1993 to apply or continue to apply in Singapore.
  - (ii) Imperial Acts were passed by the British Parliament and made applicable to colonies like the Straits Settlements. Only 2 of such Acts remain on our Statute books and they are the Maritime Conventions Act 1911 and the Straits Settlements and Johore Territorial Waters (Agreement) Act 1928. The commencement dates of these 2 Acts are set out below their long titles.
- (b) Malaysian Acts extended to Singapore — The date in square brackets is the date on which the Malaysian Act was extended to Singapore.
- (c) Consolidated Acts — For the 4 consolidated Acts, the operative date of the Revised Edition in which the Acts were consolidated is used.

- (d) Acts enacted under British rule — It was discovered during research into the legislative history of these Acts that prior to 1914, the commencement date of an Act (if not specified within the Act) was most probably the date of assent of the Act, following English practice. However, as successive revised editions of these Acts have used the date of publication as the commencement date, we have retained that practice, but have indicated both the assent date and publication date in the Legislative History at the end of these Acts.

### **Omitted provisions**

Omitted from the revised edition are most of the provisions that have had effect (e.g. amending or repealing enactments) or have become spent (e.g. transitional provisions) or obsolete. The only exception is the Application of English Law Act 1993, where amendments that have had effect (contained in the Second Schedule to that Act) are retained as a complete record of the English laws that were applied to Singapore, either by incorporation of English Acts or by the incorporation of specific provisions in certain Acts.

Where provisions have been omitted in Acts, a comparative table at the end of each Act shows the sections and subsections that have been omitted.

### **Renumbering**

Where repeals, deletions, omissions and amendments to an Act leave a gap in the numbering of sections or other divisions of an Act, or where insertions result in section numbers with multiple alphabetical suffixes such as 1AA, renumbering is usually carried out. Most Acts in the 2020 Revised Edition have not been extensively renumbered at section level. Renumbering was not applied to certain Acts such as the Companies Act 1967 and Penal Code 1871, due to the frequency of references to provisions of such Acts and the familiarity of users with their section numbers. Renumbering has also not been applied to Acts with pending amendments.

To assist readers, the comparative table compares the new numbers of renumbered provisions of a 2020 Revised Edition with the numbers of the same provisions in the last revised edition or enactment of that Act, up to the level of sections and subsections.

Where a **section** is renumbered, the former section number is referenced by an open square bracket in the right-hand corner at the end of the section. The list of Acts renumbered at section level is available at the AGC website <https://www.agc.gov.sg>.

Example:

#### **Prosecution of offences**

**56.** Proceedings in respect of any offence under this Act or any regulations made under this Act may, with the authorisation of the Public Prosecutor, be conducted by any public officer who is authorised to conduct such proceedings by the Commissioner.

[47A

## Renumbering of paragraphs after a set-out

Where previously after set-out text, paragraph numbering would restart on a lower level from the preceding paragraphs i.e. (i), (ii), etc., this could be confusing as the paragraphs that follow are not subordinate provisions of the earlier paragraph. For instance, paragraphs (i) and (ii) in the following example could be mistakenly read as subordinate provisions or part of paragraph (d):

### **Suspension or cancellation of licence, etc.**

**1.**—(1) If the Postal Authority is satisfied that a person who is granted a licence under section 6 or any regulations made under this Act is contravening, or has contravened, whether by act or omission —

- (a) any of the conditions of the licence;
- (b) any provision of any code of practice or standard of performance;
- (c) any direction of the Postal Authority given under section 25, 26D or 26F(2);  
or
- (d) section 26B,

the Authority may, by written notice, do either or both of the following:

- (i) issue such written order to the person as it considers requisite for the purpose of securing compliance thereof;
- (ii) require the payment, within a specified period, of a financial penalty of such amount not exceeding \$1 million as it thinks fit.

With the 2020 Revised Edition, the current house style is adopted. After set-out text, the paragraphing continues at the same level as the provisions that preceded it. In the example above, paragraphs (i) and (ii) are renumbered as (e) and (f), as follows:

### **Suspension or cancellation of licence, etc.**

**1.**—(1) If the Postal Authority is satisfied that a person who is granted a licence under section 6 or any regulations made under this Act is contravening, or has contravened, whether by act or omission —

- (a) any of the conditions of the licence;
- (b) any provision of any code of practice or standard of performance;
- (c) any direction of the Postal Authority given under section 25, 26D or 26F(2);  
or
- (d) section 26B,

the Authority may, by written notice, do either or both of the following:

- (e) issue such written order to the person as it considers requisite for the purpose of securing compliance thereof;
- (f) require the payment, within a specified period, of a financial penalty of such amount not exceeding \$1 million as it thinks fit.

### **Acts with uncommenced provisions**

Provisions in Acts which are not yet in force when the revised edition comes into operation are italicised to distinguish them from the provisions that are in force.

### **Legislative amendment references**

Amendments made to an Act since the last revised edition of the Act are indicated by the Act number and year of the amending legislation in italics within square brackets at the end of each amended subsection.

Example:

#### **Appraisers to be licensed**

4. Every appraiser must take out a licence in Form A in the First Schedule.

[7/2005]

To trace the entire history of a provision, readers/users may refer to earlier revised editions of the relevant Act.

### **Footnotes**

Footnotes that were inserted in earlier revised editions (not being enacted by Parliament) have been removed in the 2020 Revised Edition. The information has been incorporated as notes in the legislative history of the Act wherever possible. Other annotations that were not enacted as footnotes have been removed.

### **Source notes**

Source notes of comparative legislation have been removed, as many of those are no longer current, and the foreign legislation may no longer be relevant to the provision currently in force.

### **Legislative history**

The Legislative History (LH) of each Act begins with the original enactment, followed by other entries, each denoting (i) an amendment to, (ii) a re-enactment of, or (iii) a revision/reprint of the Act, and its date of coming into operation. The entries are arranged chronologically according to commencement dates.

Each LH entry for an Act or Ordinance will provide information on the following:

<b>Act X of YYYY – [Title]</b>	The Act/Ordinance number and original title are stated.
<b>(Amendments made by section X of the above Act)</b>	If an Act amends the principal Act, the provisions in that Act amending the principal Act will be set out.
<b>Bill:</b>	The Bill number, together with the year in which the Bill was introduced, is provided. If there is no Bill number assigned, the <i>Gazette</i> number of the <i>Gazette</i> in which the Bill is published will be provided.
<b>First Reading:</b>	The date of the First Reading is provided.
<b>Second Reading:</b>	If the Second Reading takes place over several dates, the date in the LH entry is the date when the Bill was moved by the Minister to be read a second time.
<b>Select Committee report (if any)</b> <i>New feature</i>	The Select Committee report number is provided when a Bill is committed to a Select Committee on the Bill.
<b>Notice of Amendments (if any)</b> <i>New feature</i>	If amendments to different clauses of a Bill were made over multiple dates, the date of the LH entry is the date when the Notice of Amendments was agreed to.
<b>Third Reading:</b>	The date of the Third Reading is provided.
<b>Commencement:</b>	<ol style="list-style-type: none"> <li>1. This is the date the Act or relevant provision comes into operation.</li> <li>2. If an Act has multiple commencement dates, the commencement dates will be listed chronologically within the same entry.</li> <li>3. Some Acts also have an “Application” date below the commencement date — that is the date the Act applied to Singapore (if it is a foreign Act that was extended to Singapore); the commencement date is the date the Act commenced in the foreign jurisdiction.</li> <li>4. In cases where the Act comes into operation on the date of assent, but the assent date is not known (i.e. not published in the <i>Gazette</i>), the date the Act is passed is provided instead, against the entry “passed” (generally for Ordinances pre-1888).</li> </ol>

There are several new substantive features of the LH in the 2020 Revised Edition of Acts:

<p><b><u>Feature 1</u></b></p> <p>The history of each Act is traced as far back as possible, to the first enactment on the subject matter, which may be a local or foreign enactment. Every Act will have a comprehensive LH containing information about its predecessors as well (i.e. Acts with same or similar subject matter that it repealed and re-enacted).</p> <p>The information is displayed as LH entries or LH notes, depending on the extent of the replacement of the earlier Act –</p> <p>(a) a full repeal and re-enactment of a predecessor Act by a subsequent Act will have the predecessor Act set out as such in an LH entry;</p> <p>(b) an incorporation of part of an Act will be set out in a note.</p>	<p>(a) An example of an LH entry with a note setting out relevant information, is the following:</p> <p><b>1. Act 59 of 1973 – Building Control Act, 1973</b></p> <p>Bill : 51/1973</p> <p>First Reading : 28 August 1973</p> <p>Second Reading : 30 November 1973</p> <p>Notice of Amendments : 30 November 1973</p> <p>Third Reading : 30 November 1973</p> <p>Commencement : 1 April 1974</p> <p><i>Note: This Act repealed Part III of the Local Government Integration Act (Chapter 210, 1970 Revised Edition).</i></p> <p>(b) If an Act of Singapore repealed or ceased the application to Singapore of a foreign Act (such as an English or Indian Act), there will be a note setting out the relevant information.</p> <p><b>1. Act 15 of 1973 – Geneva Conventions Act, 1973</b></p> <p>Bill : 8/1973</p> <p>First Reading : 16 February 1973</p> <p>Second Reading : 7 March 1973</p> <p>Notice of Amendments : 7 March 1973</p> <p>Third Reading : 7 March 1973</p> <p>Commencement : 6 April 1973</p> <p><i>Note: This Act ceased the application of the Geneva Convention Act, 1911 (1 &amp; 2 Geo. 5, c. 20) and the Geneva Convention Act, 1937 (1 Edw. 8 &amp; 1 Geo. 6, c. 15) to Singapore.</i></p>
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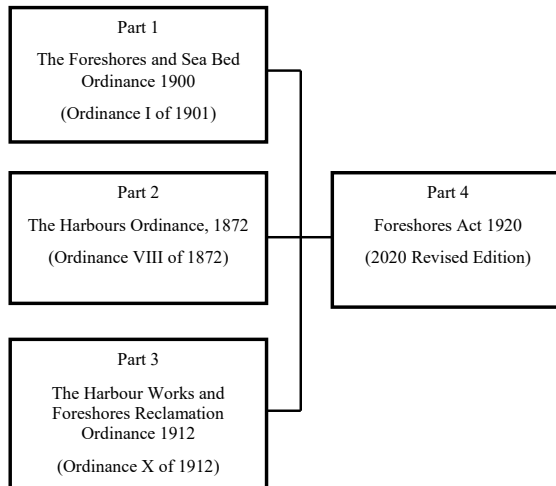


**Feature 2**

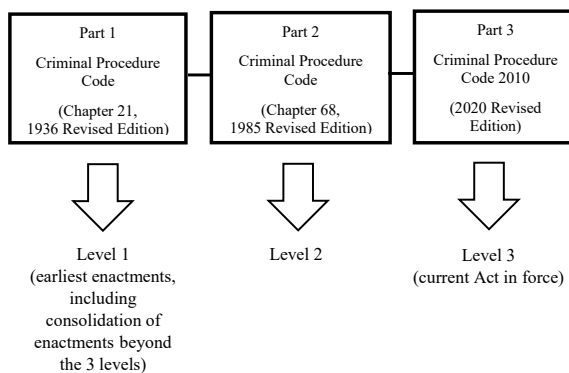
The LH relating to each predecessor Act (and the current Act) will be grouped by Act title for ease of reference. Within the group, entries are arranged chronologically.

LH diagrams reflecting the grouping are inserted to give a pictorial overview of the history of the Act, showing repeals as well as consolidations of Acts or incorporation of an Act into another during revision.

- (a) In an LH diagram, the earliest enactments are on the extreme left side and the current in-force version of the Act on the extreme right side.
- (b) The LH diagrams are each numbered by Parts (“Part 1”, “Part 2”, etc.) and are to be read with the corresponding Parts under “Legislative History Details”.



- (c) LH diagrams reflect only up to 2 levels of predecessor Acts. If there are earlier repeals and re-enactments or consolidations, these will be reflected as LH entries but not in diagrammatic form.



LH notes are also included to provide more details for readers, in cases where the information is not easily found within the Act/amending Act. In addition to the examples mentioned above, LH notes are used where, for example:

- (a) an Act was revised before it came into force (the revised edition will feature as an LH note instead of an LH entry);
- (b) an Act was amended before it came into force (the amending Act will feature as an LH note instead of an LH entry);
- (c) an Act title was changed through legislative amendment or through revision;
- (d) 2 or more Acts were consolidated or an Act was incorporated into another Act during a revision exercise;
- (e) a foreign Act was extended to Singapore — as Acts are arranged chronologically according to their commencement dates, and a foreign Act extended to Singapore has both a commencement date (in the foreign jurisdiction) and an application date (the date extended to Singapore), the notes help to link the relevant LH entries together;
- (f) an Act was declared applicable to Singapore by the Application of English Law Act 1993.

***Example of an LH note:***

<b>1. Act 26 of 1990 — Maintenance of Religious Harmony Act 1990</b>		
Bill	:	14/1990
First Reading	:	12 June 1990
Second Reading	:	18 July 1990
Select Committee Report	:	Parl. 7 of 1990
Third Reading	:	9 November 1990
Commencement	:	31 March 1992
<i>Note: This Act was amended by the Statutes (Miscellaneous Amendments) Act 1991 (Act 11 of 1991) before it came into force. It was brought into force after it was revised in 1991.</i>		

We hope that users will find the comprehensive Legislative History useful.

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